

## **ARTICLE VII. HYBRID CANINES**

### **Sec. 5-106. Definitions.**

*Unless otherwise expressly stated or the content clearly indicates a different intention, the following words and terms shall have the meaning indicated in this section:*

*Adequate confinement means that, while on the property of its owner and not under the direct supervision and control of the owner or custodian, a hybrid canine shall be confined in a humane manner in a securely enclosed and locked structure of sufficient height and design to: (i) prevent the animal's escape; or if the hybrid canine is determined to be a dangerous dog pursuant to § 3.2-6540 of the Code of Virginia or § 5-42 of this Chapter, the structure shall prevent direct contact with any person or animal not authorized by the owner to be in direct contact with the hybrid canine; and (ii) provide a minimum of 100 square feet of floor space for each adult animal. Tethering of a hybrid canine not under the direct supervision and control of the owner or custodian shall not be considered adequate confinement.*

*Hybrid canine means any animal that at any time has been or is permitted, registered, licensed, advertised or otherwise described or represented as a hybrid canine, wolf or coyote by its owner to a licensed veterinarian, law-enforcement officer, animal control officer, humane investigator, official of the Department of Health, or State Veterinarian's representative.*

*Responsible ownership means the ownership and humane care of a hybrid canine in such a manner as to comply with all laws and ordinances regarding hybrid canines and prevent endangerment by the animal to public health and safety.*

### **Sec. 5-107. Permit--Required.**

*It shall be unlawful for any person to import into the city or liberate herein or possess herein any hybrid canine except pursuant to a hybrid canine permit issued by the City of Hampton pursuant to the provisions of this article.*

### **Sec. 5-108. Same--Application fee.**

*(a) Any person seeking a hybrid canine permit shall complete an application provided by the City of Hampton including following:*

- (1) Name, address, phone number and age of the applicant.*
- (2) Species, gender, color, age, sex, vaccination history and origin of the hybrid canine.*

*(3) Photographs of the hybrid canine shall be provided by the applicant sufficient (to the satisfaction of the animal control officer) to show the size, color and any identifying marks or characteristics of the hybrid canine.*

*(4) An executed consent form authorizing the animal control officer or designee to inspect the premises where the hybrid canine is confined for the sole reason of ensuring that the owner is in compliance with the permit and this article.*

*(b) Any application for a hybrid canine permit shall be accompanied by payment of an application fee in the amount of fifty dollars (\$50.00).*

***Sec. 5-109. Same--Duration, scope and conditions.***

*(a) Any hybrid canine permit issued in accordance with this article shall be valid for a period of no more than one year from the date of issuance. The permittee shall have sole responsibility for ensuring that all permit renewals are timely initiated to ensure that a valid permit is continuously in effect throughout the period the permittee's ownership of a hybrid canine within the city.*

*(b) No permittee shall own more than two (2) hybrid canines at any time. A separate permit shall be obtained for each hybrid canine owned by the permittee.*

*(c) All permits issued in accordance with this article shall be subject to the following:*

*(1) Each hybrid canine shall wear a collar bearing identification, including the name, address and telephone number of the owner of the hybrid canine.*

*(2) Each hybrid canine shall be maintained in an adequate confinement, as defined in this article.*

*(3) Each hybrid canine shall be muzzled and kept under the control of a competent adult handler, on a leash, lead, rope or chain whenever it is not on the property of its owner.*

*(d) The permit may be revoked or not renewed if the owner has failed to renew any required permit or has violated a provision of the permit or this article or any other law pertaining to the responsible ownership of the hybrid canine, including, but not limited to, the escape of the animal from the confinement or any death, damage or injury caused by the hybrid canine.*

*(e) Any person, whether an owner, agent or employee, violating, causing, or permitting the violation of this article or the conditions of the permit shall be guilty of a class 3 misdemeanor for the first violation and a class 1 misdemeanor*

*for a second or a subsequent violation. Upon conviction of a violation of this article, the violator shall surrender custody of the hybrid canine to the animal control officer for euthanasia in accordance with section 3.2-6562 of the 1950 Code of Virginia, as amended.*